DOCUMENT RESUME

ED 271 742 CS 209 747

AUTHOR Kielbowicz, Richard Burket
TITLE Origins of the Second-Class Mail Category and the Business of Policymaking, 1863-1879. Journalism Monographs Number Ninety-Six.
INSTITUTION Association for Education in Journalism and Mass Communication.
PUB DATE Apr 86
NOTE 34p.
AVAILABLE FROM Association for Education in Journalism and Mass Communication, College of Journalism, University of South Carolina, Columbia, SC 29208 ($5.00, single issue).
PUB TYPE Collected Works - Serials (022) -- Reports - General (140) -- Historical Materials (060)

EDRS PRICE MF01 Plus Postage. PC Not Available from EDRS.
DESCRIPTORS Advertising; Federal Legislation; Journalism; *Newspapers; *Periodicals; *Policy Formation
IDENTIFIERS *Journalism History; Policy Analysis; Post Office; *Second Class Mail

ABSTRACT

The 1879 Post Office Act created the four categories of mailable matter used today and, in part, signalled the emergence of the modern mass circulated magazine. Between 1863 and 1879, Congress liberalized the terms on which regular periodicals could use the mails and put newspapers and magazines on the same footing. Requiring payment of postage at the office of mailing was the only setback publishers suffered, and the financial burden of that 1874 decision was offset by charging less postage, the forerunner of the bulk mailing rates. Some of the policymaking of this period can be seen as a marriage of interests between postal administrators and established publishers. Faced with chronic deficits, the post office sought to keep a new form of printed matter, the advertising circular, from passing through the mails at second-class rates. Little has changed in over a hundred years. Today, newspaper and magazine publishers intervene whenever the U.S. Postal Service considers rate changes that threaten to divert advertising from their pages to direct-mail circulars. These developments in the publishing industry and postal administration presaged more general national economic regulation, for recent scholarship suggests that much of the late nineteenth century trend toward federal intervention in the economy reflects intra industry struggles such as this. (SRT)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED271742

JM journalism monographs

NUMBER 96
April 1986

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

X This document has been reproduced as received from the person or organization originating it.

☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

Richard Burket Kielbowicz

Origins of the Second-Class Mail Category and the Business of Policymaking, 1863-1879

"PERMISSION TO REPRODUCE THIS MATERIAL IN MICROFICHE ONLY HAS BEEN GRANTED BY

AEJMC

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

CS 209747

An AEJMC Publication

JOURNALISM MONOGRAPHS is one of six official publications of the Association for Education in Journalism and Mass Communication: *Journalism Quarterly* (founded in 1924); *Journalism Educator* (founded in 1946); *Journalism Abstracts* (founded in 1963); *Journalism Monographs* (founded in 1966); *Journalism Directory* (founded in 1983); and *aejmc News*, the organizational newsletter.

JOURNALISM MONOGRAPHS was supported for its first two years by a gift from the University of Texas, and until 1979 by the American Association of Schools and Departments of Journalism.

Most editions of JOURNALISM MONOGRAPHS are still in print and may be ordered from the Association. Microform and photocopies are also available through University Microfilms International, 300 North Zeeb Road. Ann Arbor, Michigan 48106. Please indicate series number, author and title when ordering single copies.

Monographs appearing here are regularly abstracted and indexed in *Historical Abstracts, America: History and Life* and *Resources in Education.*

aejmc

Association for Education in Journalism and Mass Communication

1621 College Street University of South Carolina
Columbia, SC 29208-0251 (803) 777-2005

Jennifer McGill
Executive Director

Judy Hall
Subscription Manager

Subscription Information

Address changes must reach the Association for Education in Journalism and Mass Communication 30 days prior to the actual change of address to insure proper delivery. Copies undelivered because of address change will not be replaced. Other claims for undelivered copies must be made within four months of publication. You must give old address and Zip code as well as new address on changes. Subscriptions are nonrefundable. Subscription Rates: US individual $15; US institution $20; Foreign individual $20; and Foreign institution $25 (air mail surcharge, $12). Single issues, $5 (air mail surcharge $3).

POSTMASTER: Send address correction form to AEJMC, 1621 College St., University of South Carolina, College of Journalism, Columbia, SC 29208-0251.

JOURNALISM MONOGRAPHS is published serially by AEJMC in Columbia, SC 29208-0251. Copyright 1986 by the Association for Education in Journalism and Mass Communication.

JM journalism monographs

NUMBER NINETY-SIX • April 1986

JOSEPH P. McKERNS, *Editor*

BRUCE H. WESTLEY, *Founding Editor* (term: 1966-1982)
LEE B. BECKER, *Past Editor* (term: 1982-1985)

Ann Taylor, *Art Director*

EDITORIAL BOARD

L. Erwin Atwood, Donald R. Avery, James L. Baughman, Beverly Bethune, Douglas Birkhead, Everette E. Dennis, Robert E. Drechsel, David L. Eason, Terry Hynes, Arthur J. Kaul, Jerilyn McIntyre, Jack M. McLeod, John T. McNelly, Kent Middleton, John S. Nichols, David P. Nord, Vincent P. Norris, Thomas A. Schwartz, Vernone M. Sparkes, Robert L. Stevenson, Vernon A. Stone, Bruce M. Swain, James E. Swartz, Phillip J. Tichenor, Jeremy Tunstall, Richard C. Vincent.

Members of the AEJMC Publications Committee: WAYNE DANIELSON, SANDRA MORIARTY, CAROL REUSS, BYRON SCOTT, ELLEN WARTELLA, ELIZABETH YAMASHITA (Chair).

Manuscripts and other editorial correspondence should be addressed to the editor, School of Journalism, Southern Illinois University, Carbondale, Illinois 62901.

TO CONTRIBUTORS

Submissions to *Journalism Monographs* should include an original and two copies, double-spaced throughout (including extracts, references and notes).

For style, consult the AEJMC Publication Manual (available from the Business Office at $2.50 per copy). Footnotes should be assembled at the end, not on the page. If a reference style is preferred, follow the style in the Manual. Tables and figures should be on separate pages, not in the text.

Authors are expected to be candid with the editor in matters pertaining to the origins and previous appearances of manuscripts. It is policy not to publish a long version of a study already published in a shorter version elsewhere.

RICHARD BURKET KIELBOWICZ

Origins of the Second-Class Mail Category and the Business of Policymaking, 1863-1879

Copyright 1986 by the Association for Education in Journalism and Mass Communication

Accepted for Publication November 1985

RICHARD BURKET KIELBOWICZ is Assistant Professor of Communications at the University of Washington in Seattle, Washington. He expresses his gratitude to Linda Lawson and Gerald J. Baldasty for their careful reading of the manuscript.

HUNDREDS OF BILLIONS OF PERIODICALS have passed through the mails at subsidized rates under the second-class category established in 1879.[1] Although Congress fashioned a crude second-class category as early as 1863, the Post Office Act of March 3, 1879, marks the true beginning of modern postal policy, for it created the four categories of mailable matter used today. Two leading magazine historians have picked the 1879 law as one of a handful of events signaling the emergence of the modern mass-circulated magazine. The 1879 law has since been modified a number of times, but its basic principles governing the conveyance of periodicals have remained intact.[2]

Beyond the law's obvious importance to generations of publishers and readers, events connected with its passage signified that publishing was maturing as an industry. Debates over historical firsts are rarely productive, but the 1879 law was an early, if not the first, piece of legislation involving the press that was shaped through a modern policymaking process: the industry had some general interests, but different segments (newspapers, magazines, advertisers, book publishers) stood to gain or lose more than others; pressure was exerted on Congress, but significantly much of the legislation was hammered out in negotiations with professional administrators — representatives of the Post Office Department; finally, despite some perfunctory appeals to the public interest, the public was far removed from the deliberations.[3]

Ironically, more is known about postal censorship (a punitive form of government involvement with the press) than about postal subsidies.[4] Postal censorship certainly constrained, even killed, some publications, but the process of defining different classes of mail and setting rates has impinged on the very structure of the publishing industry from colonial

times to the present. Today, the mere suggestion that second-class rates might have to be raised mobilizes lawyers from the Agricultural Publishers Association, American Newspaper Publishers Association, and the Magazine Publishers Association, to name just a few interested parties. "Historians have not given postal subsidies the attention they deserve," John Stevens wrote fourteen years ago, and none has yet looked at the origins of the second-class category.[5]

Understanding the roots of the second-class category necessarily involves a consideration of both the dynamics of policymaking and the varied business interests of the maturing publishing industry. The 1879 law was the product of certain concerns about public policy, especially the role of government in fostering the dissemination of information. To that extent, there was nothing new. But features of the 1879 law also reflected some of the currents shaping the modern publishing industry, notably the growing importance of magazines and an increasing competition for advertising. There were inklings of what historian Gabriel Kolko has called "political capitalism" — business interests promoting selected federal regulations to cripple rising competition.[6] The law, too, represented a growing autonomy on the part of the federal bureaucracy, in this case the biggest unit of all, the U.S. Post Office Department. Between 1863 and 1879, professional post office administratons steadily insinuated themselves into the policymaking process that had once been the realm of Congress.

Background

Long before policymakers conceived of the second-class category, periodicals, especially newspapers, were accorded postal privileges. Some of the earliest papers to appear in the American colonies were started by postmasters as a sideline to their official duties. Using perquisites of office, postmasters sent their papers postage-free. But problems arose when non-postmaster publishers tried to send their papers by mail. In 1758 Benjamin Franklin and William Hunter, deputy postmasters general for the colonies and both newspaper publishers, devised the first explicit policy governing the conveyance of periodicals.[7]

The first major postal law enacted after the adoption of the Constitution codified substantial privileges for newspapers. The Post Office Act of February 20, 1792, charged newspapers one cent postage for conveyance 100 miles or less, and a cent and a half beyond. Letter postage, in contrast, was divided into nine zones, ranging from a minimum of six cents per sheet for delivery up to 30 miles to a maximum of 25 cents per sheet for any distance beyond 450 miles. Publishers did not have to pay periodical postage, which meant that almost invariably the delivering postmaster collected — or tried to collect — from the subscribers. The 1792 law also codified the long-standing custom of free newspaper exchanges among editors.[8]

Magazines, if sent by post, paid letter rates until 1794, when they were admitted to the mails as pamphlets. Magazine postage was assessed by the sheet and distance; a typical 64-page magazine of the day paid four

to eight cents. Moreover, the law left postmasters the discretion to exclude magazines if they felt the mode of conveyance would not accomodate the supposedly bulky publications. In 1815, Postmaster General Return J. Meigs, Jr., decided that magazines and pamphlets interfered with the mails and excluded them altogether. Shortly thereafter, however, he made an exception for the publication of "the several Bible Societies," which explains in part why religious magazines attained the largest national circulations of early nineteenth century periodicals.[9]

The relative postal status of different kinds of mail remained about the same up to the Civil War – newspapers paid the least, followed by magazines, and then letters. For all three kinds of mailable matter, however, the rates declined and converged, as shown in Table 1.

TABLE 1
Postage Per Piece of Mail Sent 500 Miles
at Letter, Newspaper, and Magazine Rates, 1784-1863

Law	Letters [a]	Newspapers	Magazines [b]
1792-94	25 cents	1.50 cents	8.00 cents
1825	25 cents	1.50 cents	9-17.50 cents
1845	10 cents	1.50 cents	7.50 cents
1851	6 cents	0.58 cents [c]	3.00 cents [c]
1852	6 cents	0.50 cents [c]	2.00 cents [c]
1863	3 cents	0.38 cents	2.00 cents

[a] Until 1845 letter postage was assessed by the sheet; for example, a two-sheet letter paid double the above rates. The 1845 act set one-half ounce as the standard-sized letter; heavier letters paid correspondingly higher postage.

[b] Postage for an average monthly, which was usually about six ounces.

[c] These are the rates if paid quarterly in advance at either the office of mailing or delivery; rates were doubled for cash on delivery.

Sources: *U.S. Statutes at Large* for the various post office laws; Jane Kennedy, "Development of Postal Rates: 1845-1955," *Land Economics* 33:99 (May 1957); Frank L. Mott, *A History of American Magazines*, Vol. 1 (Cambridge: Harvard University Press, 1930), p. 517.

Low rates induced many publishers to send periodicals by mail, but the huge quantities of publications yielded relatively little revenue for the post office. In 1801 the 1.8 million postage-paying newspapers con-

stituted 45 percent of all pieces mailed, but defrayed a mere 8 percent of the department's expenses. Little changed in half a century other than the absolute numbers mailed. For the year ending June 30, 1852, 118.3 million pieces of printed matter — 55.3 percent of all mail — was delivered, including seven million free exchanges for editors and 20 million papers delivered free in the county of publication. Periodicals thus made up more than half of the mails and presumably much more than half of the weight, but produced a mere 15 to 20 percent of the revenue in 1852. The disparity can be shown another way: the postmaster general estimated in 1850 that postage at letter rates was about $3.16 per pound compared to a mere 16 cents per pound at newspaper rates.[10] The postmasters general naturally complained that the conveyance of newspapers taxed the department's resources. The shortfall created by newspapers was made up from the relatively high letter rates, and in most years also required a Congressional appropriation.

Through the early and mid-nineteenth century, several postal problems involving periodicals repeatedly plagued the department and congressional policymakers. The knottiest problems arose from the vague distinction between newspapers and magazines; the loss of postage that went uncollected; transient periodicals (those mailed by someone other than publishers); and the perceived differential impact of postal policy on urban and rural papers. Attempts to resolve these difficulties formed the backdrop for the postal reforms enacted in the 1860s and ultimately the Post Office Act of March 3, 1879.

Taking advantage of the lowest rates, publishers styled their periodicals as newspapers regardless of the contents or preferred format. As a result the postmasters general and later the assistant attorneys general were called upon to decide whether a given publication was a newspaper or a magazine. They looked at both form and content. Periodicals printed on sheets of paper without stitching were usually considered newspapers if they had a modicum of news, which generally meant political intelligence. Therefore, material that appeared in books in England was often serialized in the United States on broadsheets and passed at very low rates despite their mammoth proportions. Where the form was different, contents became the determinative factor. For example, *Niles' Weekly Register*, a precursor of the modern weekly news magazine, was deemed a newspaper despite its magazine appearance. In making their decisions, the authorities exhibited a clear bias in favor of political news and against discussions of the arts, professions, and other presumably less timely intelligence.[11]

Collecting money due from subscribers had long aggravated postmasters. Since the 1790s, the postmasters general had implored their deputies to collect postage from subscribers a quarter in advance, but this administrative rule apparently was ignored nearly as much as observed. The department's 1798 instructions noted that some postmasters "scarcely collected fifty per cent of the postage of newspapers." A sizable portion of the revenue due the department was lost until an 1851 law stipulated that newspaper postage would be halved

where prepaid one quarter in advance. Even then, though, subscribers paid the postage. For a variety of reasons, many subscribers received their papers without ever paying postage.[12]

Transient newspapers initially presented a relatively minor but persistent problem. Apparently it was quite common for individuals to read a paper and mail it to friends or relatives. To avoid the stiff letter rates, some even devised ingenious systems for making words or characters on a newspaper to convey a personal message. In 1847 Congress created a special category for transient newspapers that fixed rates at about double those for papers mailed by publishers.[13]

Perhaps the most divisive issue that recurred from the 1790s to the 1860s was whether newspaper rates should be structured to encourage the wide-ranging circulation of urban papers, or to help country publications reach readers in their immediate vicinity. The relatively low, flat (i.e., with few zones) newspaper-postage schedule put city papers within the reach of distant readers. To enhance the competitive position of the country press, Congress permitted newspapers to circulate through the mails free within 30 miles of the office of publication between 1845 and 1847. A similar privilege, free circulation in the county of publication, was reinstated in 1851.[14]

The 1863 Second-Class Category

The second-class mail category created by the Post Office Act of March 3, 1863, attempted to solve some of these problems. Senator Schuyler Colfax of Indiana introduced the proposal reform in 1863. The object of the bill was to simplify postage on printed matter. Finding the correct postage to assess printed matter was complicated by discounts for in-county and in-state delivery of newspapers, numerous frequencies of publication, formats ranging from newspapers to books, transient publications and advertising circulars. With these factors to consider, a postmaster had to find which of 300 rates applied to a given publication, Colfax said. He proposed to reduce the various rates to three. Endorsing Colfax's plan, the *New York Times* noted that the postage schedule taxed postmasters' mathematical abilities: "To determine the proper charge for a paper, a magazine, or a book, postmasters are obliged to plunge into calculations of the most abstruse, and often insoluble character, the result of which, in regard to any given article, never comes out the same for two different and distant computers."[15]

The principal architect of the 1863 law was Senator Jacob Collamer, a Whig from Vermont who had served as postmaster general from 1849 to 1850. The postmaster general at the time, Montgomery Blair, also helped shape the bill. With their combined expertise in postal matters, they devised three classifications to accommodate all mailable matter. The first class embraced correspondence; the second, all regular periodical publications; and the third, all other mailable matter, ranging from occassional publications and books to seeds, cuttings and engravings.[16]

Without debate, the Senate passed the bill as reported from the post

office committee. The House, too, dealt with the legislation expeditiously. Colfax told his colleagues that one object of the bill was to reduce the 300 or so rates for publications to 12 or 15. After a few other minor adjustments (none affecting the press) were made between the Senate and House drafts of the bill, the legislation was sent to the president.[17]

The Act of March 3, 1863, defined second-class mail as "all mailable matter exclusively in print, and regularly issued at stated periods, without addition by writing, mark or sign." Newspaper rates were only slightly altered by the 1863 law. Where the basic rate set in 1852 was .5 cent, if prepaid, the new law lowered it to .38 cent with mandatory prepayment at either the office of mailing or delivery. Rates were not graduated according to distance, though the free in-county privilege was retained for weeklies. The new law was also slightly more favorable to the press in its standard weight limit. Under the old law, three ounces was the maximum allowed for a newspaper to pass at the regular rate; the new law raised it to four ounces.[18]

Whatever its other merits, the new law discriminated against publications issued less often than once a week. Any periodical appearing at least weekly paid about two-fifths of a cent per copy. But those appearing less frequently, mainly magazines, were charged one cent. Regardless of frequency, postage rose proportionally for each additional four ounces. The stipulation that second-class mail be "issued at stated periods" precluded advertising circulars, then clogging the mails, from enjoying the lowest rates. They were relegated to the third class along with transient newspapers. Shortly after the law took effect, the number of circulars and transient newspapers mailed at New York City fell off.[19]

Toward Prepayment and Pound Rates, 1874

Two important steps toward the modern second-class category were those requiring prepayment by publishers and assessing postage by the pound. Although the post office establishment had long lobbied on behalf of having publishers pay postage, Congress resisted this reform until 1874. Charging postage by the pound instead of the piece was developed to cope with the huge quantities of publications mailed at some offices.

Although some publishers discovered that private means of distribution best served their needs, many still relied on the post office to reach readers. An 1870 statistical profile of the nation's periodical output shows that all categories except daily newspapers sent more than half of their annual circulation through the mails (see Table 2). Of the 1.5 billion periodicals, dailies to quarterlies, issuing from the presses in 1870, about 500 million were mailed. They weighed about 96 million pounds. If all postage had been collected, the department would have earned about $2.7 million; instead, it realized $934,333 in 1870. Daily newspapers presumably depended on carriers and news dealers to reach the bulk of their subscribers.[20]

An 1857 act was the first law mandating prepayment at the office of mailing for some forms of printed matter. Not suprisingly, the require-

ment was imposed only on transient publications, which lacked a powerful constituency. David Yulee, a senator from Florida, explained that the law was needed to correct an increasingly common abuse. Great numbers of circulars, many promoting lotteries, were being entered in the mails without prepayment. Some post offices, he said, received forty bags of such matter. Because the addressees did not solicit the circulars, "very few of them are taken out at the offices, but they are transported at great expense to the Government." The proposal passed without debate. Transient newspapers and circulars henceforth prepaid postage at the office where mailed.[21]

TABLE 2
Annual Periodical Output, Share Delivered by Mail, and Postage, 1870

Frequency	Annual Circulation (mills.)	% Mailed	Number Mailed (mills.)	Yearly Postage	Expected Revenue (thous.)	Average Copy Weight	Weight Mailed (mills.)	Postage Per Pound
Daily	806.5	10	80.6	$1.20	$318.2	1.75oz	8.9lbs	3.58cts.
Tri-weekly	24.2	60	14.5	.60	55.8	2.0	1.8	3.07
Semi-weekly	25.7	60	15.4	.40	59.3	2.0	1.9	3.07
Weekly	550.9	60	330.6	.20	1,251.4	3.0	61.8	2.05
Semi-monthly	32.4	60	19.4	.24	194.1	3.0	3.6	5.33
Monthly	67.8	60	40.7	.12	813.7	7.0	17.7	4.57
Bi-monthly & Quarterly	1.0	60	0.6	.04	11.7	8.0	0.3	4.00
Total	1,508.5		501.8		2,704.2		96.0	

Note: The figures on percent mailed are estimates based on the observations of postmasters and publishers. Expected revenue is the sum that *would* have been collected if all postage had been paid.
Source: *Congressional Record*, 43d Cong., 1st sess., June 6, 1874, p. 4663.

A similar requirement for regular periodicals faced stiff opposition in Congress because of policymakers' solicitude for publishers' interests. The post office nonetheless kept pressing for a reform that would require publishers to pay postage. A perennial advocate was the postmaster general — whoever occupied the office. Faced with chronic deficits, the postmasters general continually looked for additional revenue. Raising rates was usually deemed impolitic; in fact, the trend was consistently toward lower postage in all classes. Instead, the postmaster general tried to stanch any hemorrhage of revenue that the department already deserved. The most visible loss was newspaper postage owed the post office but never collected.

As noted above, complaints about the failure to collect postage from subscribers were older than the United States post office. Because the 1863 postal law provided no solutions to this problem, the postmasters general in the 1860s and 1870s continued to press Congress to mandate payment of postage by publishers. Typical of these calls was an 1865 message from Postmaster General William Dennison to the Senate post office committee. Dennison pointed out that allowing publishers to send periodicals to subscribers without prepayment "is not in harmony with our general system of prepayment." It burdened postmasters with the responsibility of keeping complicated accounts, and cost the department revenue that went uncollected. The Senate committee reported such a bill, but it was defeated in a 31 to 7 vote.[22]

Those who opposed it argued that payment by publishers would hurt the country press. New Hampshire Senator John P. Hale asserted that "the small country papers are sufficiently burdened, and that this further tax upon them will be very severe, and in may cases ruinous."[23] Henry B. Anthony from Rhode Island revived one of the oldest arguments in postal debates, the need to protect virtuous country papers:

> [I]f the publisher is obliged to pay the postage in advance he will not send the paper. It is very desirable for the country that these small papers that just live should be kept alive. They are very useful in the circulation of intelligence, very useful for town and county purposes, and they are very useful in stimulating the partriotism of the country at this time and I think this would be felt as a very considerable burden on them.[24]

Kansas Senator James H. Lane predicted that mandatory payment by publishers would lead to the suspension of all weekly newspapers.[25]

Postmasters, faced with the onerous task of prying postage from subscribers, joined with the postmasters general in calling for payment by publishers. A semi-official monthly journal for postmasters, *United States Mail and Post Office Assistant*, first issued October 1860, frequently ran letters on the subject from all parts of the country. One writer noted that most postmasters, many of whom owned stores, could not afford to jeopardize the goodwill of subscribers because they were also customers. This inhibited aggressive collections. Several commented that legislative reform — requiring publishers to pay postage — was impossible because congressmen feared the wrath of the press. *U.S. Mail* quoted the *New York World*: "If Congress were to require *pre*payment on *all* newspapers going through the mails, the press of the country, great and small . . . would combine in protest; and we judge that such a protest would by Congress be heard and heeded." One contributor proposed that postmasters agree on a prepayment plan and petition Congress for its enactment.[26]

While postmasters continued to complain to one another through the columns of *U.S. Mail*, John W. Munday of La Porte, Indiana, outlined three solutions in a memorial to Congress. First, and most preferable,

would be the prepayment of postage. But because "there are members of Congress who tremble with apprehension at the barest thought of offending the newspapers," he concluded that it was pointless to press this idea. Second, he pointed out that so little periodical postage was actually collected that it would be easier for the department to just give up and transmit publications postage-free. Noting that only $779,982 was obtained from periodicals in 1869, he reasoned that such a meager amount was not worth the department's collection efforts, especially since 50 percent was retained by the postmasters as their commission. The department, therefore, received less than $400,000 for transporting periodicals that must have numbered in the hundreds of millions. Postmasters would willingly forego their commission to be spared the embarrassment of dunning subscribers, Munday predicted. He further argued that the department could save money by dismissing clerks who did nothing but keep track of periodical postage, and by eliminating the purchase of forms used for tallying returns from periodicals. Thus, the revenue actually lost would be minimal. Munday's third plan was to enforce existing laws more vigorously. Munday's message to Congress underscored the severity of the problem: so much periodical postage was going uncollected that he could seriously argue for the abolition of postage as an option that would not drastically cut the department's revenues.[27]

How much postage was being lost in the years just before payment by publishers became mandatory? Precise figures, of course, remain elusive, but all who commented on the problem agree that the hemorrhage was sizable. Examining the books of his predecessors, a New Hampshire postmaster reported in 1865 that less than half the periodical postage had been collected.[28] *U.S. Mail* editorialized in 1870 that if all the periodical postage due the department was collected, rates could be cut by a third with no loss or revenue.[29] The post office estimated in 1873 that requiring publishers to pay postage would return $1.5 million to $2 million then being lost.[30] And just before Congress mandated prepayment in 1874, rougly 40 percent of the newspapers and magazines sent by mail failed to pay the postage required by law, in the estimation of an economist who has studied postal rates.[31]

Congress adopted several postal reforms in 1873, but failed to enact a proposal that would have required publishers to prepay postage. Two of the 1873 reforms withdrew long-standing press privileges — free in-county circulation of weeklies and publishers' free exchanges.[32] The House approved a provision to require prepayment, but it failed in the Senate.[33] Some feared the proposal would hurt country papers more than the city press. The Maine legislature, for example, opposed mandatory payment at the office of publication "as unjust to the newspapers of Maine and of other parts of the Union outside of the great commercial centers . . . "[34] Although the move to require payment by publishers failed in 1873, Representative John F. Farnsworth from Illinois presented evidence of the huge quantities of publications entered in the mails and the numbers evading postage. According to Farnsworth's estimates, the 640 million periodicals passing through the mails should have earned the

department $2,953,845 when in fact it received only $985,940, a loss of $1,967,905.[35]

At the opening of the next Congress, several bills were introduced to restore free exchanges among publishers and free delivery for weeklies within the county of publication.[36] In addition, citizens from more than a dozen states petitioned Congress to mandate payment by publishers.[37] Their sudden concern probably stemmed from the abolition of the free in-county privilege for weeklies, a long-standing benefit that the preceding Congress had withdrawn. Previously, readers had received these publications postage-free. Now that readers had to pay postage, they saw the merit of shifting the burden to publishers. The postmaster general's 1873 report, released about this time, also urged payment by publishers.[38] Heeding the postmaster general's plea, the House post office committee again took up the matter. The post office submitted a report detailing the numbers of publications sent by post, and concluded that the department lost $1,543,791 annually.[39] With this report in evidence, the chairman of the House post office committee, Joseph Cannon, an Illinois Republican, successfully pushed for shifting payment of periodical postage from subscribers to publishers. In his memoirs, Cannon claimed credit for the legislation:

> The bill I introduced, which subsequently became law with slight amendment, made the pound the unit of payment, provided that the publications should be weighed in bulk at the office of mailing, and the postage prepaid by the publisher. The rates were reduced and this caused the bill to be objected to on the ground that the Government was losing money on second class matter, but I contended that the prepayment of postage would bring in a greater revenue. . .
>
> [Publishers] brought pressure to bear to defeat my bill and complained it was a great injustice to them. They did not like having the cost of the postage transferred from the subscriber to the publisher. They said they could not increase the price of their publications to the subscribers, and if they paid the postage they would lose money. I was satisfied that when the subscribers were relieved of the petty annoyance of paying postage every quarter they would not object to having the postage added to the subscription price. It has worked out that way.[40]

Cannon, later one of the most influential speakers of the House, shepherded the legislation through Congress.

It succeeded where similar bills had failed because it offered publishers a bonus. In return for publishers paying postage, the legislation promised to charge by bulk weight instead of the piece, which amounted to a substantial reduction. Publishers representing leading newspapers and magazines as well as the president of the American News Company, the nation's major private periodical distributor, petitioned Congress to fix rates at one cent per pound for newspapers and two cents per pound for magazines.[41] The House bill, as reported from the post office committee, recommended higher per pound rates — one and one-half cents for

newspapers, three cents for magazines. These rates would have reduced postage one-fourth to one-half from the rates set in 1863. The newspaper-magazine differential was retained, Cannon explained, because of precedent and because papers, cheaper than magazines, circulated to more people. The House version passed 108-73.[42]

Senate alterations made the bill only slightly less attractive to publishers. John Sherman, a senator from Ohio, expressed concern about mounting postal deficits — $4 million in 1872, $6.1 million 1873, and a projected $8.15 million for 1874. He therefore recommended fixing postage at four cents a pound for all second-class matter. Even at this rate, the department would receive only one-fourth of what it cost to carry periodicals, Sherman said.[43]

The four cents per pound rate fixed by the Senate met "with great opposition in the House," the *New York Times* reported. Another *Times* article summarized publishers' reactions, one of whom remarked, "The bill is based upon no principle, and seems to have grown out of the enmity of a faction toward a certain journal."[44] After further deliberations, the House stuck with its per pound rates of one and one-half cents for newspapers and three cents for magazines. One objection to the four cent rate was that it would require some leading city papers to prepay $300,000 in postage, an expense they had never incurred before. A conference committee reconciled the differences, recommending per pound charges of two cents for periodicals issued weekly or more often (newspapers), and three cents for those appearing less frequently (magazines).[45]

The bill passed as the Act of June 23, 1874, mandating that publishers pay postage at two cents a pound for newspapers and three cents a pound for magazines. The prepayment provision did not take effect until January 1, 1875, allowing publishers time to make arrangements. This act also restored the privilege of free circulation in the county of publication, satisfying those who wanted to protect the country press. In addition, the free in-county privilege was extended to all newspapers, not just weeklies.[46]

The *American Newspaper Reporter*, a trade journal, welcomed the prepayment provision, but expressed relief that the Senate's proposed four cent a pound rate had been reduced: "The bill as it originated in the Senate, was perhaps justly regarded as an exorbitant tax on the publishers of city papers whose circulation is mainly outside of their local limits, and raised such a clamor in all quarters as to induce the Senate to consent to a reduction."[47] Three months after the law took effect, the *New York Times* added its approval, explaining that the mails would no longer be encumbered with papers that no one wanted. Even the smaller newspapers represented by the Mississippi Press Association concurred.[48]

The postmaster general naturally applauded the law. His 1874 report predicted that requiring publishers to pay postage would raise revenues even though rates per copy were lower. A year later, the postmaster general commented that "The new system has worked so admirably, and has given such general satisfaction, that no change is deemed

necessary." Total revenues rose only slightly, but the postmaster general attributed this to the restoration of the free in-county privilege, not to problems with prepayment. He again registered his pleasure in his 1876 report.[49]

The post office devised new procedures to implement the 1874 law. Previously, postage had been collected (or was supposed to have been collected) at the post office of delivery. These numbered about 35,000. Now, however, postage was collected on periodicals where they were mailed — much smaller number of post offices, which simplified the department's bookkeeping. Publishers bundled their papers or magazines and carried them to the post office for weighing. Postage was computed, the proper amount in stamps given to the postmaster, who affixed them to the receipt book. The stamps never left the office. "Thus, one transaction is all that is required in paying the postage upon a single issue of any particular publication," clearly more efficient than calculating postage for tens or hundreds of thousands (a typical output for city papers) of separate pieces.[50] Twenty-four stamps, ranging from two cents to $60, were designed for periodicals. With these denominations, payment on weights from one pound to one ton could be made at the two and three cent rates with a maximum of five stamps. Just before the new law took effect, Congress apropiated funds to buy scales for the department in order to handle the bulk mailings it expected.[51] Trade journals helped prepare publishers for the radical changes in mailing procedures as January 1, 1875, approached.[52]

While the reformed second-class mail category seemed to satisfy most parties, at least temporarily, a debate arose over periodicals relegated to the third class. Without much consideration, Congress in 1875 raised third-class rates from one cent per two ounces to one cent per ounce. This enraged some publishers because transient publications — those mailed to other than regular subscribers — were third-class mail. Congressmen claimed that they had not foreseen its impact on publications because the third-class category encompassed all kinds of mailable matter. Charges were leveled, especially in the *New York Times* and the *American Newspaper Reporter*, that the higher third-class rates were the result of lobbying by the express companies. Business supposedly was diverted to the express companies when third-class rates rose. Publishers vowed to press for lower rates, and one promised to secure a pledge from all congressmen in his area to support a repeal of the higher postage.[53]

Postmaster General Marshall Jewell met with New York City publishers. Although he preferred the higher charge, he acceded to a proposal reducing third-class rates to their previous level for transient periodicals, but leaving the higher rates intact for other mailable matter in that class. Book publishers petitioned Congress for the restoration of the lower rates since bound printed matter was considered third-class mail. Some in Congress resisted any reduction for fear that it would contribute to larger postal deficits, but in the Act of July 12, 1876, postage on printed matter of the third class, including transient publications, advertising sheets and books, was reduced to one cent for every two

ounces, while other third-class merchandise paid one cent per ounce.[54]

The Post Office, Magazines and Advertising

The impetus for an improved classification scheme — the one culminating in the four classes of mail, including the modern second-class category — originated with Arthur H. Bissell of the Post Office Department's law division. Bissell rendered legal decisions for the department, and in this capicity he had many occasions to rule on the nature of publications and the postage paid. In June 1877, filling in for the assistant attorney general for the Post Office Department, Bissell ruled the "[p]eriodicals intended primarily for advertising purposes should not be mailed [second-class] pound rates."[55] His decision was "based upon the theory that the government should not carry at a loss to itself publications which are simply private advertising schemes."[56] Bissell's ruling forced such publications to pay third-class rates, one cent for each two ounces, instead of two or three cents per pound at second-class rates.

But this scarcely resolved the problem. In a five-month period, Bissell had to pass on the postal status of 300 to 400 publications. Unscrupulous advertisers began issuing publications just frequently enough to qualify as periodicals, he complained. The intent of postal legislation was clear, he wrote, but the intent of many publications was not. Some of these publications had no regular list of subscribers, and subsisted entirely on advertising revenue.[57]

Bissell was confronting a relatively new species of mail, the advertising circular. Producers and importers of consumer goods striving to penetrate national markets turned to advertising. The traditional vehicles for ads were newspapers and, increasingly, magazines. But some merchants discovered that they could reach potential customers directly through the mails, and the liberal second-class rates enticed many to pass off their publications as newspapers or magazines. Crude advertising circulars quickly evolved into more sophisticated mail-order catalogues, the first of which was issued by Montgomery Ward & Company in 1872.[58]

E.C. Allen pioneered mail-order advertising. Allen, operating a mail-order busness from Augusta, Maine, bought liberal amounts of advertising in newspapers and magazines until he developed his own publication, the *People's Literary Companion*, a monthly first issued in 1869. Nominally sold for 50 cents a year, it could be obtained for less when purchased by clubs, and in fact much of its circulation was simply given away. It contained a few stories and household hints, but mainly was a device to generate mail-order sales. *Companion* attained a circulation of half a million in its second year. Success spawned imitators, and many did well enough to become weeklies in the mid-1870s.[59]

At about the same time, traditional magazines, which had eschewed most advertising, discovered its rewards. Magazine historian Frank Luther Mott believes that the *Galaxy*, founded in 1866, "was the first high-grade magazine to carry any considerable variety of 'miscellaneous

advertising'." Following suit in the 1870s were such respectable journals as *Lippincott's*, *Scribner's*, the *Atlantic*, and even religious magazines like *Christian Union*.[60] Sometimes ads were printed on separate sheets and inserted into the magazine, a significant point in the eyes of postal authorities.[61] In short, established publications began competing for advertising dollars with some upstart quasi-magazines. And both needed to use the mails to reach a large share of their potential audiences.

A series of postal rulings in the mid-1870s tried to divert the flood of newer publications to the more costly third class. The department repeatedly reminded postmasters that a publication had to have a list of bona fide subscribers to qualify for second-class rates.[62] Another criterion was the purpose of a publication. In 1876, rulings emphasized that pound rates were to be accorded only to publications whose "prevailing characteristic and purpose" was the dissemination of intelligence of passing events.[63] Magazines jeopardized their second-class rates if they inserted advertisements printed separately. The department held that "Unless such advertisements are printed at the same office, on paper of the same size, and regularly paged with other sheets of the publication, third-class rates of postage must be prepaid thereon."[64] Apparently some publishers colluded with those who would otherwise issue separate advertising circulars. In 1878 the department prohibited advertisers from inserting ads in publications, buying up the entire issue, and then using the low second-class rates to reach subscribers, who received the publication for free.[65] Beleaguered postal officials must have felt that the fledgling advertising industry devoted most of its ingenuity to devising ways of getting commercial messages into the second-class mail.

Negotiations Between Postal Administrators and Publishers

To remedy these abuses, Bissell proposed registering publications in five categories, with postage at two to three cents a pound for the most privileged, rising to 12 cents a pound for advertising circulars. Bissell communicated this plan to Postmaster General David M. Key in 1877. The postmaster general mentioned the problem in his 1877 report, and Congress took up the matter, considering a bill drafted by Bissell. The House post office committee invited New York City publishers to register their opinions about the proposal to differentiate between regular publications (newspapers and magazines) and irregular ones (advertising sheets).[66]

More productive in eliciting opinions were Bissell's meetings with publishers in a few of the largest cities. New York publishers representing different segments of the industry met at the city post office on January 26, 1878, and appointed a committee to confer with Bissell. The committee consisted of Roswell Smith, *Scribner's Monthly*; Horatio C. King, the *Christian Union*; W.H.C. Price, *The Grocer*; Patrick Farrelly, the American News Company; George Jones, *New York Times*; and as chairman, J.W. Harper, Harper's publishing house. The complexion of the committee is revealing. Three of the publications with

representatives — *Scribner's, Christian Union,* and *Harper's* — were among the well-established, respectable magazines that had awakened to the possibilities of national advertising. *The Grocer,* a trade journal, represented a class of magazines that had problems convincing postal authorities of its legitimacy and entitlement to second-class rates.[67] After two days of consultations with Bissell, the committee unanimously endorsed a modified version of the bill then before Congress.[68]

Bissell then met with Philadelphia publishers. A few days earlier, the Pennsylvania Editorial Association had unanimously opposed the registration feature of the bill as creating the potential for censorship, and urged Congress "to remove the discrimination between periodicals printed weekly and those issued at longer intervals."[69] The *Philadelphia Public Ledger* repeated the concerns about registration:". . . it is proposed by the bill in question to superadd to the existing adminstrative machinery of the Postal Department a Bureau of Mail Classification, *under a superintendent at Washington,* to which all such periodical publications must be sent for examination and judgment before they can be passed through the mails at the low rates of postage. . . "[70] Bissell accepted all the amendments, except one, proposed by a subcommittee of the Philadelphia publishers. Bissell reserved judgment on a proposal permitting appeals to the federal courts of adverse registration decisions by the post office.[71]

Among the names of the Philadelphia publishers dealing with Bissell, two stand out. One was Walter Lippincott of the magazine bearing his name, and the other was R.S. Menamin, editor of *Printer's Circular.* Like *Scribner's* and the others mentioned above, *Lippincott's* was among the few well-established general magazines to recognize relatively early that they were natural vehicles for general national advertising. *Printer's Circular,* one of the leading journals of the printing industry, was sensitive to post office rulings that left trade journals in a precarious position.

As modified by the New York and Philadelphia publishers, the bill retained the three classes of mail then in use. First class would remain for correspondence, the second encompassed all printed matter, and the third class was reserved for merchandise. The proposed change involved bringing all printed matter into the second class, including that which was considered third-class mail under existing law. Within the second-class, however, some discrimination would be made among publications based on their purposes. Second-class matter could either be "registered," enjoying the lowest rates, or "ordinary," subject to a higher charge. Registered publications would have to meet four criteria, essentially those that became law in 1879: first, they had to be issued at regular, stated intervals; second, they had to be sent from a known office of publication; third, they had to be made of printed paper without substantial bindings such as books; and fourth, they had 'to be originated and published for the dissemination of information of a public character, or devoted to literature, the sciences, arts, or some special industry, and having a legitimate list of subscribers." Qualified publications issued at least twice a year could be mailed at two cents a pound, weighed in bulk.

Thus magazines would enjoy the lowest rates, where pre-1879 laws subjected them to charges higher than paid by newspapers.[72]

The registration procedure approved by the publishers was fairly simple. Publishers would submit their periodicals to the local postmaster, who, applying guidelines issued by the postmaster general, decided whether a publication met the four requirements state above. Publishers would receive a certificate of registration and print the word "registered" on their newspaper or magazine. The Philadelphia publishers insisted on adding a provision that periodicals denied registration could appeal to U.S. district court.[73]

Under the publishers' plan, "ordinary" printed matter in the second-class would pay one cent for each two ounces, then the current rate for third-class printed matter. The circulars that so troubled Bissell — what he called alleged newspapers, which copied a few news items from other journals but were mostly filled with ads — would pay this higher rate. Bissell claimed that the department carried 10 million pounds of these circulars a year at a loss of $250,000.[74]

A spokesman for New England publishers testified before the Senate post office committee on February 28 and echoed the remarks of his counterparts in New York and Philadelphia. The comments of William E. Sheldon revealed why many publishers joined with adminstrators of the Post Office Department in pushing for registration of printed matter. Sheldon's testimony was peppered with such phrases as "legitimate publishers," "the honoarble publishers," and the "legitimate press." He asserted that the registration scheme was "without opposition from the entire legitimate press of the country," but predicted that the measure would probably be opposed by a species of publications that are designed to sell medicines, or are designed to influence the public to buy special goods; that is, one class of trade journals that are not designed to convey intelligence to the people."[75]

Bissell reported to the Senate post office committee on the outcome of his meetings with postmasters and publishers. The only point of diagreement between some publishers and the department, he testified, was whether local postmasters or Washington-based officials should make judgments about registration. He preferred to centralize the decision-making in Washington to assure greater uniformity, but Philadelphia publishers wanted that power vested in the hands of local postmasters. Bissell acceded to having the local postmasters issue the certificates of registration, though he emphasized that their decisions would be made *"under such regulations as the Postmaster-General might prescribe."*[76]

In questioning Bissell, Senator Samuel Kirkwood of Iowa implied that there was no valid reason to discriminate against advertising circulars when such magazines as *Scribner's, Harper's* and the *Atlantic* carried several pages of advertising. Bissell admitted that, at the insistence of the publishers, a provision had been added to the bill permitting regular periodicals to carry advertisements printed on separate pieces of paper. He maintained, however, that the contents of these publications entitled them to the lower pound rates.[77]

To secure passage of this legislation in the third session of the Forty-

Fifth Congress, yet another postal conference was called. "[I]nasmuch as the approaching session will be the short one, and legislation of every nature will crowd itself upon the attention of the members of both houses, it is deemed advisable that the public should take some steps to aid the department in securing the passage of this bill," the invitation stated.[78] The committee issuing this call to action suggested that it was a broad-based effort. Indeed, the committee included some chambers of commerce and boards of trade, but at least half of its members were connected with publishing interests in six large cities. The conference, held October 9, at the New York City post office, endorsed the pending bill and its registration features.[79]

The solicitude shown by the post office for the opinions and cooperation of leading publishers was convenient, practical policymaking. Postal officials, after all, were aware that a major share of the publications entered in the mails issued from a handful of the largest cities. The ability of city-based publications to penetrate large parts of the country was enhanced in 1875 when the Post Office Department started some fast mail trains. The first trains ran from New York City to Chicago and New York to St. Louis, and on some days distributed hundreds of thousands of periodicals en route.[80] By 1878 the six principal post offices accounted for 60.39 percent of the total second-class postage paid in the United States: New York mailed 11,918,240 pounds of newspapers and 3,025,158 pounds of magazines (32.10 percent of the nation's total); Chicago, 3,246,959 and 529,536 pounds (7.88); Boston, 2,667,917 and 470,590 pounds (6.58); Philadelphia, 1,317,818 and 974,040 pounds (5.42); St. Louis, 1,936,066 and 188,932 pounds (4.33); and Cincinnati, 1,657,203 and 290,485 pounds (4.08). These proportions had changed little since 1874.[81]

The 1879 Law in Congress

To this point, most of the work on the pending postal reform had been carried out by a postal adminstrator in conjunction with those who would be affected by the legislation. The ultimate power, of course, resided with the politicians in Congress. And the political climate in which the classification act passed was unusual if not unique.

In the 1876 presidential election, Democratic candidate Samuel J. Tilden had won a slight victory in the popular vote over Republican rival Rutherford B. Hayes, but Tilden's edge in the electoral college left him one vote short of victory. Charges of electoral fraud marred the election and tainted the results. Congress set up an Electoral Commission to pick a president, and Hayes was selected in return for a number of concessions granted to the Democrats. Among them was an understanding that one or more of the cabinet positions would go to a Southerner, and thus Democrat David M. Key became postmaster general in a Republican administration.[82]

Key headed a department that traditionally dispensed patronage to political stalwarts. Under his aegis, however, the Post Office Department functioned remarkably free of the politics that typically pervaded

it. In fact, Key's able administration of a politicaly sensitive bureaucracy presaged the civil service reforms that followed in a few years. This may account in part for the latitude granted such professionals as Bissell.[83] Having Key as postmaster general brought one other benefit in the legislative arena: bills endorsed by his office carried the imprimatur of both a Democratic department head and, at least implicity, a Republican president. This was not insignificant in the third session of the Forty-Fifth Congress, where Republicans held a slight edge, 39-36, in the Senate, but the Democrats commanded a majority, 157-136, in the House.[84]

After 18 months of consideration, the House post office committee reported a bill on January 23, 1879, that ultimately became law, establishing the modern second-class category. Alfred M. Waddell, a Democrat from North Carolina, explained that the bill reclassified mail matter, but left rates basically unchanged. The only rate change favored monthly and quarterly magazines. He illustrated the discrimination in existing law by comparing the weekly and monthly publications of Harper's publishing firm. Not coincidentally, a member of Harper's publishing house had been among the leaders in the New York postal conferences. Waddell illustrated existing rate inequities by noting that Harper's two weeklies and one monthly each had circulations of about 100,000 copies per issue. In a one-year period, 675,000 pounds of *Harper's Monthly* were mailed at three cents a pound, or $20,250 total postage; but the 1.8 million pounds of *Harper's Weekly* and *Harper's Bazaar* paid $36,000 in postage at two cents per pound. Waddell estimated that putting monthlies and quarterlies on the same basis as daily and weekly publications would cost the department $70,000 in revenue the first year.[85]

Joseph Cannon, who had successfully worked for prepayment of postage by publishers in 1874, was the only member of the House to vigorously oppose extending the two cent per pound rate to monthlies and quarterlies. He complained that second-class matter already contributed a mere one-seventh of the revenue needed to pay for its transportation, and further reductions for some publications would increase the size of the deficit.[86]

The registration of "legitimate" publications was the only other noteworthy change in existing law proposed by the House committee. Like Bissell, Waddell, in explaining the bill to his colleagues, frequently resorted to the terms "legitimate" and "illegitimate" to denote different publications. Where earlier versions of the bill had only three classes of mail, the committee's report suggested four. The second class would encompass regular publications, which would be registered in order to receive the two-cent a pound rate. The third class covered books, transient newspapers, and the so-called "illegitimate" publications — the advertising circulars that were specifically excluded from the second-class. Third-class material would be admitted to the mails without registration at one cent for each two ounces — eight times the second-class rate.[87]

The House failed to act expeditiously on the bill, so on February 20,

1879, the classification scheme was revived in the Senate as an amendment to a post office appropriations bill. The substance of the classification scheme and the rates excited little interest in the Senate; the half-hearted debate centered on whether such legislation should be considered late at night near the end of the session, and whether it belonged as an attachment to an appropriation bill. It passed.[88]

When the classification scheme returned to the House, opponents objected to two of its features. First, it was pointed out that the Senate version omitted a provision that permitted publishers to appeal to U.S. district court if a postmaster refused to register a publication as second-class matter. A letter from Philadelphia publishers introduced into the *Record* alleged that Bissell had intended all along to eliminate this protective feature. In fact, in his conferences with Philadelphia publishers, Bissell had reserved judgment on this matter.[89]

The fight against registration was led by Joseph Cannon of Illinois, who was joined by three others in the House debates — James H. Blount, Georgia; William P. Springer, Illinois; and Washington C. Whitthorne, Tennessee. All but Cannon were Democrats. They argued that registration of second-class periodicals amounted to censorship. Further, Cannon claimed the provision benefited the city press. "I would ask now if any of your publishers in Minnesota, Illinois, Ohio, Alabama and South Carolina have ever besieged you with letters — I mean your country publishers — to enact this registration system?" he asked. "I guess not. Mine never did me." Cannon represented a strongly rural district.[90] About a month before, a letter in the *New York Times* charged that the only opposition to the bill came from representatives of country districts.[91] The registration provision, Cannon added, was the product of a "mutual-admiration society" — city publishers whose magazines would pay less and the Post Office Department, which would augment its personnel.[92]

Trying to assuage Cannon's apprehensions about registration, Hernando D. Money, a Democrat from Mississippi and a newspaper publisher, pointed out that 35,000 postmasters already passed judgement on the postal status of publications. The proposed registration system did not enlarge postmasters' powers; in fact, fewer postmasters would be in a position to interfere with publications in the mails. Under current law, Money explained, any postmaster handling a publication could dispute its postal status; under the proposed registration scheme, in contrast, only postmasters at the office of mailing would decide what rate to assess. Despite this argument, Cannon prevailed; the House voted 60 to 25 to delete registration from the classification act.[93]

Cannon, this time alone, also spoke against reducing magazine rates from three to two cents a pound. He said that the post office spent $18 million a year to transport second-class mail but received only about $1 million in postage. Citing the department's own estimates, Canon noted that giving magazines the lowest rates would reduce revenues $70,000. The reduction would not be passed on to suscribers, he predicted, and besides "that class of publications go to comparatively few people, not to the many." There was no reason to reduce already low rates further,

"especially when a magazine is sent from New York to San Francisco, or from Philadelphia to South Carolina," he concluded.[94] Hernando Money again argued the opposite view. Conferring the lowest rate on all second-class publications — dailies to quarterlies — eliminated an unjust discrimination against magazines, many of which represented "the very best class of periodical literature," he said. The *Missionary Herald*, "the oldest monthly in the United States, and a religious paper of the very first class," paid fifty percent more postage than the *Police Gazette*. This time the House heeded Money and left the provision in the bill that bestowed the lowest rates on magazines.[95]

A conference committee then considered the post office appropriation bill and retained the mail classification features and postage as they had emerged from the House. On the last day of Congress, March 3, 1879, the House and Senate passed the bill without further debate, thereby creating the modern second-class mail category.[96]

There was nothing in the law that major publishers had stridently opposed and much they had approved. Postal administrators failed to get the registratoin system they had sought, but prevailed in other respects. Printed matter now fell into either the second or third class. Qualifications for admission to the second class were those suggested by the department and approved by publishers in a few large cities. A publication had to appear at regular intervals at least four times a year; be issued from a known office of publication; formed of printed sheets without substantial binding; and disseminate "information of a public character, or be devoted to literature, the sciences, arts, or some special industry, and have a legitimate list of subscribers." In addition, the definition specifically proscribed "publications designed primarily for advertising purposes, or for free circulation, or for circulation at nominal rates."[97]

The postal law relegated advertising circulars to the third-class, along with books, transient newspapers and other printed matter. Third-class rates remained one cent for each two ounces, eight times the two cents a pound second-class rate. Although the law was designed to curtail use of the mails by advertising circulars, it explicitly provided that second-class publications could carry ads as long as they were permanently attached.[98] Magazines thus scored a double victory: they now passed at the same rates as newspapers, and they became more attractive vehicles for advertisers than the alternative — advertising cirulars paying third-class postage.

A new postmaster general, Horace Maynard, took charge of the department in 1880. In his annual report for that year, Maynard extolled the reforms that had been wrought in policies toward periodicals during the last 20 years. In 1860, he noted, rates varied greatly according to weight and frequency of issue. But *"[i]n 1880 the rate on all the matter [in the second class] is uniform at two cents per pound without regard to frequency of publication or distance."* The press's dependence on the mails for delivery can be gauged from a count of all matter mailed in the United States during the first seven days of November 1880, shortly after the implementation of the mail classification act. On an annual

basis, 695,175,624 newspapers and 53,471,756 magazines, or a total of 748,647,380 pieces, were mailed in the second class. In the third class, 300,845,480 transient publications, circulars and books were delivered by post. The department also reported that second-class matter was entered at 4,423 of the nation's 42,989 post offices. And the 30,661 tons of second-class mail yielded $1,226,453 for the department.[99]

Conclusions

Between 1863 and 1879, Congress liberalized the terms on which regular periodicals could use the mails and put newspapers and magazines on the same footing. Requiring payment of postage at the office of mailing was the only setback publishers suffered, and the financial burden of that 1874 decision was offset by charging less postage, the upshot of the bulk mailing rates.

"In view of its origin and accomplishments, the 1879 law was a publishers' law in the most literal sense," one historian of postal rates has observed.[100] Another has asserted that passage of such pro-press legislation was an attempt by Democrats and Republicans to court the nation's publishers in the upcoming elections.[101] Of course motives are hard to ascertain. It can be surmised, however, that the Forty-Fifth Congress operated in a peculiar political environment, with Democrats bidding to take control in 1879 for the first time since the conclusion of the Civil War.[102] Presumably neither party would risk alienating publishers. Moreover, any legislation coming from the post office department seemed bi-partisan because it had passed muster with a Democratic postmaster general in a Republican administration.

More important in the long run than congressional politics was the pattern the 1879 law set for postal policymaking involving the press. In drafting the various postal acts between 1863 and 1879, postal administrators and representatives of some segments of the publishing industry played successively greater roles. Congress, though still the ultimate arbiter, receded in importance. Many of the postal acts of this period were passed at end of congressional sessions after lackluster late night debates with important reforms attached to appropriation bills.[103] Thus, much of the power of writing ever more complex regulations was ceded, albeit unintentionally, by lawmakers to administrators. In an 1879 editorial the *New York Times* urged Congress to leave such work to the professionals: "[T]he laws of Congress are the work of men who know as much about the details of Post Office business as a monkey knows about trigonometry. . . Congressional lawyers and hair-splitters are not fit for such work." The *Times* preferred to have practical post office personnel familiar with the day-to-day problems rewrite the code.[104]

Some of the policymaking of this period can thus be seen as a marriage of interests between postal administrators and established publishers. Faced with chronic deficits, the post office sought to keep a new form of printed matter, the advertising circular, from passing through the mails at second-class rates. There was also the suggestion that postmasters, notably those in a few large commercials centers, found these circulars

disruptive because their use of the mails was much more sporadic (thus harder to plan for) than regular periodical publications. At the same time that advertising circulars appeared, magazines were striving to attain national audiences and to become the principal outlet for national advertisers. The publishers consulted in postal conferences, a number of whom were associated with such magazines, raised no objections to tightening specifications for admission to second-class. Congress, in distinguishing between "legitimate" and "illegitimate" publications, enhanced the competitive position of magazines as vehicles for advertisers. Little has changed in over a hundred years. Today, newspaper and magazine publishers intervene whenever the U.S. Postal Service considers changes that threaten to divert advertising from their pages to direct-mail circulars.[106]

In microcosm, these developments in the publishing industry and postal adminstration presaged more general national economic regulation. Recent scholarship suggests that much of the late nineteenth century trend toward federal intervention in the economy reflected intra-industry struggles. Gabriel Kolko, one of the exponents of this view, puts it succintly: "While each major sector and industry had its own rules, reflecting their [sic] distinctive problems, political regulation was preeminently and most consistently a method of expressing rivalries among capitalists in which one type of firm — usually older and with larger vested interests — confronted and constrained another."[106] In a small way, this was apparent in the 1879 postal law, and would become much more conspicuous in 1887 with the formation of the American Newspaper Publishers Association, which concerned itself with labor, newsprint tariffs, taxes, and antitrust laws in addition to postal matters.[107]

NOTES

1. In 1880 the post office delivered 749 million pieces of second-class mail. *Annual Report of the Postmaster General*, 1880, pp. 66-67. By 1978 it was carying 9.4 billion pieces annually. Alan L. Sorkin, *The Economics of the Postal System* (Lexington, Ma.: Lexington Books, 1980), p. 41. Sorkin's book provides a good overview of contemporary issues in postal policy.

2. For evidence about the 1879 law's special importance to magazines, see Theodore Peterson, *Magazines in the Twentieth Century*, 2nd Ed., (Urbana: University of Illinois Press, 1964), p. 1; James Playsted Wood, *Magazines in the United States* (New York: Ronald Press Co., 1949), p. 100. David P. Forsyth, *The Business Press in America* (Philadelphia: Chilton, 1964), p. 332, notes its importance to that specialized branch of the publishing industry: "The reduced rates of 1879 allowed business papers to mushroom into the prolific business press of the late 1800's and early 1900's." For other statements about the 1879 act as a watershed in postal policy, at least as if affected the press, see Irving I. Raines, "The Second-Class Postal Rate Controversy," unpublished Ph.D. dissertation, University of Illinois, 1952, pp. 30-34; A.J. van Zuilen, *The Life Cycle of Magazines* (Uithoorn, Netherlands: Graduate Press, 1977), p. 182; James F. Evans and Rodolfo N. Salcedo, *Communications in Agriculture: The American Farm Press* (Ames: Iowa State University Press, 1974), p. 13. Raines's dissertation, which is strongest for the period after 1879, argues that a mystique enveloped the classification act that made later lawmakers

reluctant to modify it. "[T]he sanctity of the purpose of Congress in passing the Mail Classification Act of 1879" was "carefully nurtured by press and government" in late nineteenth and early twentieth century policymaking, he writes. See Raines, *op. cit.*, p. 68.

3. Erwin G. Krasnow, Lawrence D. Longley, and Herbert A. Terry, *The Politics of Broadcast Regulation*, 3rd Ed., (New York: St. Martin's Press, 1982) presents a general model of the politics of policymaking. See Philip T. Rosen, *The Modern Stentors: Radio Broadcasters and the Federal Government, 1920-1934* (Westport, Conn.: Greenwood Press, 1980) for a discussion of the origins of broadcast regulation that shows forces at work strikingly similar to those sketched in this study. Rosen found that key elements of early broadcast law arose from intra-industry competition.

4. Major attempts at postal censorship have been directed at abolitionist publications, Copperhead newspapers in the Civil War, foreign-language and Socialist publications during World War I, and allegedly obscene printed materials from the mid-1800s to the present. For a convenient overview, see Dorothy G. Fowler, *Unmailable: Congress and the Post Office* (Athens: University of Georgia Press, 1977).

5. "Freedom of Expression: New Dimensions," in Ronald T. Farrar and John D. Stevens, eds., *Mass Media and the National Experience* (New York: Harper & Row, 1971), p. 33.

6. *Main Currents in Modern American History* (New York: Harper & Row, 1976).

7. The text of Franklin's and Hunter's newspaper postal regulations is available in Ruth L. Butler, *Doctor Franklin, Postmaster General* (Garden City, N.Y.: Doubleday, Doran & Co., 1928), pp. 57-58. For a fuller discussion of pre-1863 postal policy, see Richard B. Kielbowicz, "News in the Mails, 1690-1863: The Technology, Policy and Politics of a Communication Channel," unpublished Ph.D. dissertation, University of Minnesota, 1984. More accessible is Richard B. Kielbowicz, "The Press, Post Office, and Flow of News in the Early Republic," *Journal of the Early Republic* 3:255-80 (Fall 1983).

8. 1 *U.S. Statues at Large* 238. For a fuller discussion of the exchange privilege, see Richard B. Kielbowicz, "Newsgathering by Printers' Exchanges Before the Telegraph," *Journalism History* 9:42-48 (Summer 1982).

9. 1 *U.S. Statues at Large* 362 (Act of May 8, 1794); Frank Luther Mott, *A History of American Magazines*, Vol. 1 (Cambridge: Harvard University Press, 1930), pp. 119-20; Circular to postmasters, March 3, 1815, Letterbooks of the Postmaster General, T, p. 118, Record Group 28, National Archives; To [?] Pickering, March 11, 1815, Letterbooks, T, p. 118; Neal L. Edgar, *A History and Bibliography of American Magazines, 1810-1820* (Metuchen, N.J.: Scarecrow Press, 1975), p. 15. David Paul Nord, "The Evangelical Origins of Mass Media in America, 1815-1835," *Journalism Monographs* 88 (May 1984), thoroughly documents the success of religious groups in blanketing the country with their publications, though he does not mention the mails as a means of reaching readers.

10. *Annual Report of the Postmaster General*, 1852, p. 26; *ibid.*, 1850, p. 409.

11. Postmaster General's circular, June 10, 1828, published in the New Orleans *Price-Current and Commerical-Intelligencer*, September 20, 1828, quoted in Forsyth, *op. cit.*, p. 331; 4 *Opinions of the Attorney General* 10-13 (March 18, 1842) and 302-03 (January 22, 1844).

12. *Post-Office Law, Regulations, forms and tables of Distances* (Philadelphia: Printed for the General Post-Office, 1798), pp. 38-39; 9 *U.S. Statutes at Large* 587-89 (Act of March 3, 1851). See Kielbowicz, "News in the Mails," for further information about non-payment of postage.

13. 9 *U.S. Statutes at Large* 202 (Act of March 3, 1847). See John B.McMaster, *History of People of the United States*, Vol. 7 (New York: D. Appleton & Co., 1902), p. 108, for examples of how personal messages could be sent by transient newspapers.

14.5 *U.S. Statutes at Large* 733 (Act of March 3, 1845); 9 *U.S. Statutes at Large* 587-89 (Act of March 3, 1851).

15. *Congressional Globe*, 37th Cong., 2nd sess., January 27, 1862, p. 494; *New York Times*, January 28, 1862. See *Congressional Globe*, appendix, 37th Cong., 2nd sess., May 19, 1862, pp. 157-58, for a table comparing the existing and proposed rates.

16. *U.S. Mail and Post Office Assistant*, March 1863, p. 2; *New York Times*, February 2, 1863; *New York Herald*, March 5, 1863.

17. *Congressional Globe*, 37th Cong., 3rd sess., February 10, 1863, pp. 839-40; February 20-March 2, 1863, pp. 1149-51, 1170, 1181, 1225, 1343, 1371, 1454, 1494.

18. 12 *U.S. Statutes at Large* 706-07 (Act of March 3, 1863).

19. *U.S. Mail*, August, 1868, p. 2.
20. *Annual Report of the Postmaster General*, 1870, p.23. For a discussion of the various methods of delivering publications, see Alfred M. Lee, *The Daily Newspaper in America* (New York: Macmillan Co., 1937), pp. 262-64.
21. *Congressional Globe*, 34th Cong., 1st sess., July 18 and 25, 1856, pp. 1658, 1778-79; *ibid.*, 34th Cong., 2d sess., December 26, 1856, p. 203; 11 *U.S. Statutes at Large* 153 (Act of January 2, 1857); *New York Times*, January 7, 1857.
22. Senate Miscellaneous Document 10, 38th Cong., 2nd sess., January 12, 1865; *Congressiona Globe*, 38th Cong., 2nd sess., February 8, 1865, pp. 654-55, 661-62.
23. *Congressional Globe*, 38th Cong., 2nd sess., February 8, 1865, p. 661.
24. *Ibid.*, p. 662.
25. *Ibid.*
26. *U.S. Mail*, September 1865, p. 1; September 1868, p. 1; April 1869, p. 2; February 1870 for *New York World* quote, at p. 2; November 1869, p. 1. For other complaints about the problems of collecting postage from subscribers and the advisability of requiring publishers to pay, see *U.S. Mail* July 1865, p. 2; August 1865, p. 1; January 1866, p. 2; February 1866, p. 2; November 1866, p. 1; November 1867, p. 1; September 1868, p. 1; May 1870, p. 1; January 1871, p. 1; August 1871, p. 1; September 1871, p. 1; November 1871, p. 1; January 1872, p. 1.
27. House Miscellaneous Document 38, 41st Cong., 2d sess., January 28, 1870.
28. *U.S. Mail*, September 1865, p. 1.
29. *Ibid.*, February 1870, p. 2.
30. *Congressional Globe*, 42nd Cong., 3rd sess., February 5, 1873, p. 1127.
31. Jane Kennedy, "Development of Postal Rates: 1845-1955," *Land Economics* 33:98 (May 1967). Beyond the 40 percent of the periodicals that failed to pay postage, many millions were entitled to go free.
32. 17 *U.S. Statutes at Large* 559 (Act of March 3, 1873).
33. *American Newspaper Reporter*, March 24, 1873, p. 244.
34. House Miscellaneous Document 101, 42nd Cong., 3rd sess., February 24, 1873.
35. *Congressional Globe*, 42nd Cong., 3rd sess., February 11, 1873, p. 1261.
36. See, e.g., *Congressional Record*, 43rd Cong., 1st sess., December 4, 1873, pp. 65, 66, 68, 69; December 8, pp. 83, 84; December 11, p. 141.
37. For petitions submitted to the House between December 3, 1873 and May 4, 1874, see *ibid.*, pp. 28, 50, 70, 100, 185-86, 215, 216, 246, 290, 324, 387, 388, 468, 504, 535, 567, 603, 662, 770, 796, 964, 1031, 1172, 1212, 1377, 1418, 2209, 2337, 3053, 3564. For petitions submitted to the Senate, see *ibid.*, pp. 290, 353, 1173, 2381.
38. *Annual Report of the Postmaster General*, 1873, p. xxx.
39. Senate Miscellaneous Document 98, 43rd Cong., 1st sess., April 16, 1874; *New York Times*, April 17, 1874, p. 1.
40. L. White Busbey, ed., *Uncle Joe Canon: The Story of a Pioneer American* (New York: Henry Holt and Co., 1927), pp. 292-4.
41. House Miscellaneous Document 287, 43rd Cong., 1st sess. June 4, 1874. Three petitions from groups of publishers were introduced into the House on June 6, 1874. See *Congressional Record*, 43rd Cong., 1st sess., pp. 4640, 4668.
42. *Ibid.*, June 6, 1874, pp. 4659-64; *New York Times*, June 7, 1874, p. 5.
43. *Congressional Record*, 43rd Cong., 1st sess., June 16, 1874, pp. 5026-31; June 17, pp. 5086-87.
44. *New York Times*, June 19, 1874, p. 4.
45. *Congressional Record*, 43rd Cong., 1st sess., June 19, 1874, pp. 5204-9, 5211-13, 5404-5.
46. *Ibid.*, June 22, 1874, p. 5372; June 23, p. 5434; 18 *U.S. Statutes at Large* 232.
47. July 6, 1874, p. 430.
48. *New York Times*, March 23, 1875, p. 10; *Proceedings of the Mississippi Press Association from Its Organization, May 1866, to May 1884* (Jackson: Clarion Steam Book and Job Printing Establishment), p. 91.
49. *Annual Report of the Postmaster General*, 1874, p. 26; *ibid.*, 1875, quote at p. xxvii; *ibid.*, 1876, pp. 16-17.
50. *Ibid.*, 1875, p. 20.
51. *Ibid.*, pp. 19-20.
52. *Congressional Record*, 43rd Cong., 2nd sess., December 7, 1874, p. 11; December 10,

p. 38; December 14, p. 68.

53. *American Newspaper Reporter*, October 12, 1874, p. 658; December 28, 1874, p. 886; *Typo's Guide*, December 1874, p. 44.

54. 18 *U.S. Statutes at Large* 377 (Act of March 3, 1875); *New York Times*, March 13, 1875, p. 10; March 15, pp. 1, 4, 5; March 16, p. 10; March 23, p. 10; *American Newspaper Reporter*, May 17, 1875, pp. 396, 400; June 7, 1875, pp. 480, 485.

55. *New York Times*, November 24, 1875, p. 8; December 6, p. 5; December 7, p. 2; December 18, p. 1; March 17, 1876, p. 1; March 24, p. 4; April 7, p. 4; April 19, 1876, p. 5; *American Newspaper Reporter*, December 27, 1875, p. 961; *Annual Report of the Postmaster General*, 1875, p. xxvii; *Congressional Record*, 44th Cong., 1st sess., April 5, 1876, pp. 2217-24, 4379; April 6, pp. 2257-65; April 12, p. 2416; May 17, pp. 3142; June 9, pp. 3712, 3720-21; June 29, p. 4237; July 3, p. 4367; July 5, pp. 4378-79, 4382, 4414-16; 19 *U.S. Statutes at Large* 82 (Act of July 12, 1876).

56. 1 *Opinions of the Assistant Attorneys-General for the Post Office Department* 313-15 (June 7, 1877); *Annual Report of the Postmaster General*, 1877, pp. 242-45.

57. *Argument of William E. Sheldon of Boston, before the Committee on Post Office and Post Roads, U.S. Senate. . .* (Washington, D.C.: Government Printing Office, 1878), p. 8.

58. Arthur H. Bissell, *Classification of Mail Matter. Letter to Postmaster General* (Washington, D.C.: Government Printing Office, 1878).

59. Frank Presbrey, *The History and Development of Advertising* (Garden City, N.Y.: Doubleday, Doran & Co., 1929), pp. 284-86; George P. Rowell, *Forty Years an Advertising Agent* (New York: Franklin Publishing Co., 1926), pp. 201-02, 211; *Printers' Ink: Fifty Years, 1888-1938* (issue for July 28, 1938), pp. 41-45; Daniel J. Boorstin, *The Americans: The Democratic Experience* (New York: Vintage Books, 1973), pp. 121-29.

60. Mott, *op. cit.*, pp. 37-40.

61. *Ibid.*, pp. 9-11.

62. The *New York Times*, May 5, 1877, p. 1, reported that the postmaster general had ruled that advertisements inserted into magazines subjected the whole publication to third-class rates.

63. See, e.g., William M. Ireland and J.M. McGrew, comps., *The Postal Laws and Regulations* (Washington, D.C.: Government Printing Office, 1873), p. 70; *U.S. Official Postal Guide*, October 1874, p. xix; January 1877, p. 56. Virtually every issue of the *Postal Guide*, carried a ruling trying to define what constituted a regular subscriber. The *Postal Guide*, incidentally, was a quarterly published privately by authority of the Post Office Department. The first issue appeared in October 1874.

64. See, e.g., *ibid.*, April 1876, p. 54.

65. *Ibid.*, July 1877, p. 54.

66. *Ibid.*, April 1878, pp. 60-61.

67. Bissell, *op. cit.*; *New York Times*, October 10, 1877, p. 1; *Printer's Circular*, February 1878, p. 273; *American Newspaper Reporter*, January 21, 1878, p. 56.

68. In 1877, the assistant attorney general for the Post Office Department ruled that a Chicago trade magazine could not pass at second-class rates. *New York Times*, June 8, 1877, p. 2. A trade journal for the printing industry, *Typo's Guide*, July-August, 1877, p. 32, complained: "The Postmaster General having decided that the TYPO'S GUIDE is an advertising sheet, coming under the head of third-class matter, and must, therefore, be prepaid at the rate of one cent per copy. . ."

69. *New York Times* January 27, 1878, p. 7; January 29, p. 3; *Classification of Mail Matter. Action of the Publishers of New York and Philadelphia, on the Bill Now Pending Before Congress* (Washington, D.C.: Judd & Detweiler, 1878).

70. Quoted in *Printer's Circular*, February 1878, p. 281 (italics in original).

71. January 28, 1878, quoted in *ibid.*, p. 279.

72. The text of the bill adopted by the Philadelphia publishers and Bissell is reproduced in *Printer's Circular*, February 1878, pp. 274-76.

73. *Ibid.*

74. *New York Times*, January 27, 1878, p. 7.

75. *Arguments of William E. Sheldon, op. cit.*, p. 2.

76. Testimony of Bissell in *ibid.*, p. 10 (italics in original).

77. *Ibid.*, pp. 16-17.

78. Quoted in *Annual Report of the Postmaster General*, 1878, p. 51.

79. *Ibid.*, pp. 51-53; *New York Times*, October 10, 1878, p. 2.

80. *New York Times*, August 26, 1875, p. 5; *Printer's Circular*, October 1875, p. 209; *American Newspaper Reporter*, October 4, 1875, p. 752. See also Senate Misscellaneous Document 14, 45th Cong., 2nd sess., December 14, 1877, for figures on regular (i.e., non-expedited) railway mail delivery of publications.
81. *Annual Report of the Postmaster General*, 1878, p. 250; *Congressional Record*, 43rd Cong., 1st sess., June 6, 1874, p. 4662. See also *Annual Report of the Postmaster General*, 1879, p. 251.
82. David M. Abshire, *The South Rejects a Prophet: The Life of Senator D.M. Key, 1824-1900* (New York: Praeger, 1967), pp. 145-57. Interestingly, a group of newspapermen-lobbyists engineered Key's selection, though there is no evidence to suggest that they thereby hoped to gain advantages in postal laws. See *ibid.*, and Donald W. Curl, *Murat Halstead and the Cincinnati Commercial* (Boca Raton: University Presses of Florida, a Florida Atlantic University Book, 1980), p. 82.
83. Abshire, *op. cit.*, pp. 157-74; Dorothy G. Fowler, *The Cabinet Politician: The Postmasters General, 1829-1909* (New York: Columbia University Press, 1943), pp. 162-73.
84. Edward McPherson, *A Hand-Book of Politics for 1880* (Washington, D.C.: James J. Chapman, 1880), pp. 1-2; George B. Galloway, *History of the House of Representatives* (New York: Thomas Y. Crowell Co., 1961), pp. 249-50.
85. *Congressional Record*, 45th Cong., 3rd sess., January 23, 1879, p. 690.
86. *Ibid.*, p. 692.
87. *Ibid.*, pp. 691-98.
88. *Ibid.*, February 20, 1879, pp. 1662-65.
89. *Ibid.*, February 28, 1879, p. 2136.
90. *Ibid.*, William R. Gwin, *Uncle Joe Cannon, Archfoe of Insurgency* (N.p.: Bookman Associates, n.d.), p. 18.
91. January 29, 1879, p. 3.
92. *Congressional Record*, 45th Cong., 3rd sess., February 28, 1879, p. 2136.
93. *Ibid.*, pp. 2134-37.
94. *Ibid.*, p. 2136.
95. *Ibid.*, p. 2135.
96. *Ibid*, March 3, 1879, pp. 2372-73; 20 *U.S. Statutes at Large* 358-61.
97. *Ibid.*, p. 359.
98. *Ibid.*
99. *Annual Report of the Postmaster General*, 1880, pp. 11, 40, 67, quote at 316 (italics in original). The 1880 report contains a wealth of precise data on the periodicals entered in the mails. Figures are broken down by state, and, in many cases, by city. It should be noted that the *Annual Reports of the Postmaster General* are a treasure trove of quantitative information on the periodical press from the mid-nineteenth century to the present. This monograph has tapped only a fraction of the available data. A thorough analysis would reveal much about patterns of news flow and the relative importance of different cities and sections of the country as bases of newspaper and magazine publishing. Reports as early as the 1850s even give data on the exchange of newspapers between countries from which it might be possible to crudely sketch international pattens of news flow.
100. Kennedy, *op. cit.*, p. 98.
101. Raines, *op.cit.*, pp. 30-31.
102. "Democrats gained majority Senate control for the first time since the war in 1879. . . ." David J. Rothman, *Politics and Power: The United States Senate, 1869-1901* (Cambridge: Harvard University Press, 1966), p. 36.
103. Charles A. Heiss, *Report on Second-Class Mail to the Postmaster General* (Washington, D.C.: Government Printing Office, 1946), p. 72, observes: "[I]t is of interest to mention that practically every change in postage rates made during a period of about 20 years, prior to and including 1885, became law by means of an amendment added toward the end of a Congressional session to a Post Office Appropriation Bill following as compromise reached in the final hours of the sessions."
104. January 26, 1879, p. 6.
105. See, e.g., "Postal Service sued by ANPA," *Editor & Publisher*, February 27, 1982, p. 12; Andrew Radolf, "Postal appropriation better than expected," *ibid.*, January 8, 1983, p. 10.
106. Kolko, *op. cit.*, p. 9.
107. Edwin Emery, *History of the American Newspaper Publishers Association* (Minneapolis: University of Minnesota Press, 1950).

JOURNALISM MONOGRAPHS

No. 1 – Walter B. Emery, "Five European Broadcasting Systems." *August 1966*
No. 2 – Eugene J. Webb and Jerry R. Salancik, "The Interview or the Only Wheel In Town." *November 1966*
No. 3 – James E. Grunig, "The Role of Information in Economic Decision Making." *December 1966*
No. 4 – Linda Weiner Hausman, "Criticism of the Press in U.S. Periodicals, 1900-1939: An Annotated Bibliography." *August 1967*
No. 5 – George Gerbner, "The Press and the Dialogue in Education." *September 1967*
No. 6 – Peter R. Knights, "The Press Association War of 1866-1867." *December 1967*
No. 7 – Elmer Davis, "Report to the President," edited by Ronald T. Farrar. *August 1968*
No. 8 – Steven H. Chaffee and L. Scott Ward, "Channels of Communication in School-Community Relations." *September 1968*
No. 9 – Walter Wilcox, "The Press, the Jury and the Behavioral Sciences." *October 1968*
No. 10 – Don R. Pember, "The Smith Act as a Restraint on the Press." *May 1969*
No. 11 – Joy Schaleben, "Getting the Story Out of Nazi Germany: Louis P. Lochner." *June 1969*
No. 12 – Carter R. Bryan, "Negro Journalism in America Before Emancipation." *September 1969*
No. 13 – George Gerbner, "The Film Hero: A Cross-Cultural Study." *November 1969*
No. 14 – Steven H. Chaffee, Keith R. Stamm, Jose L. Guerrero and Leonard P. Tipton, "Experiments on Cognitive Discrepancies and Communication." *December 1969*
No. 15 – Darwin Payne, "The Press Corps and the Kennedy Assassination." *February 1970*
No. 16 – Elmer A. Beck, "Autopsy of a Labor Daily: The Milwaukee Leader." *August 1970*
No. 17 – Jim A. Richstad, "The Press Under Martial Law: The Hawaiian Experience." *November 1970*
No. 18 – Mary A. Gardner, "The Press of Guatemala." *February 1971*
No. 19 – Robert L. Bishop and LaMar S. Mackay, "Mysterious Silence, Lyrical Scream: Government Information in World War II." *May 1971*
No. 20 – Phillip Palmgreen, "A Daydream Model of Communication." *August 1971*
No. 21 – William E. Francois, "Evaluating Programmed News-Writing Instructions." *November 1971*
No. 22 – David Gordon, "The 1896 Maryland Shield Law: The American Roots of Evidentiary Privilege for Newsmen." *February 1972*
No. 23 – Karlen Mooradian, "The Dawn of Printing." *May 1972*
No. 24 – Maxwell E. McCombs, "Mass Media in the Marketplace." *August 1972*
No. 25 – John W. Garberson, "A Limited Number of Advertising Pages." *November 1972*
No. 26 – Thomas H. Guback and Steven P. Hill, "The Beginnings of Soviet Broadcasting and the Role of V.I. Lenin." *December 1972*
No. 27 – John D. Stevens, "From the Back of the Foxhole: Black Correspondents in World War II." *February 1973*
No. 28 – Don Dodson and William A. Hachten, "Communication and Development: African and Afro-American Parallels." *May 1973*
No. 29 – Guido H. Stempel III, "Effects on Performance of a Cross-Media Monopoly." *June 1973*
No. 30 – Beth Heffner, "Communicatory Accuracy: Four Experiments." *August 1973*
No. 31 – Jerry W. Knudson, "The Press and the Bolivian National Revolution." *November 1973*
No. 32 – Herbert Strentz, Kenneth Starck, David L. Anderson and Loren Ghiglione, "The Critical Factor: Criticism of the News Media in Journalism Education." *February 1974*
No. 33 – Edmund M. Midura, "A.J. Liebling: The Wayward Pressman as Critic." *April 1974*
No. 34 – James E. Murphy, "The New Journalism: A Critical Perspective." *May 1974*
No. 35 – Donald S. Kreger, "Press Opinion in the Eagleton Affair." *August 1974*
No. 36 – Steven H. Chaffee, Ed., Godwin C. Chu, Jack Lyle and Wayne Danielson, "Contributions of Wilbur Schramm to Mass Communication Research." *October 1974*
No. 37 – John Dimmick, "The Gate-Keeper: An Uncertainty Theory." *November 1974*
No. 38 – Mary Ann Yodelis, "Who Paid the Piper? Publishing Economics in Boston, 1763-1775." *February 1975*
No. 39 – Shelton A. Gunaratne, "The Taming of the Press in Sri Lanka." *May 1975*
No. 40 – Robert N. Pierce, "Lord Northcliffe: Trans-Atlantic Influences." *August 1975*
No. 41 – Mary M. Connors, "Prejudicial Publicity: An Assessment." *September 1975*
No. 42 – Steven H. Chaffee and Peter Clarke, "Training and Employment of Ph.D. in Mass Communication." *November 1975*
No. 43 – Donald R. Browne, "The Voice of America: Policies and Problems." *February 1976*
No. 44 – Donald R. Holland, "Volney B. Palmer (1799-1864): The Nation's First Advertising Agency Man." *May 1976*
No. 45 – Clifford G. Christians, "Jacques Ellul and Democracy's 'Vital Information' Premise." *August 1976*
No. 46 – James E. Grunig, "Organizations and Public Relations: Testing a Communication Theory." *November 1976*
No. 47 – Frank L. Kaplan, "The Czech and Slovak Press: The First 100 Years." *January 1977*
No. 48 – Douglas A. Boyd, "Egyptian Radio: Tool of Political and National Development." *February 1977*
No. 49 – Margaret A. Blanchard, "The Hutchins Commission, the Press and the Responsibility Concept." *May 1977*
No. 50 – David L. Paletz and Dennis LaFlura, "The Press and Authority: Portrayals of a Coach and a Mayor." *August 1977*
No. 51 – Manny Lucoff, "Telecommunications Management and Policy: Who Governs?" *November 1977*
No. 52 – John E. Nichols, "The Tinker Case and Its Interpretation." *December 1977*
No. 53 – Susan Heilmann Miller, "Reporters and Congressmen: Living in Symbiosis." *January 1978*
No. 54 – Jerry W. Knudson, "Herbert L. Matthews and the Cuban Story." *February 1978*
No. 55 – Mark R. Levy, "The Audience Experience With Television News." *April 1978*
No. 56 – Paul W. Sullivan, "News Piracy: Unfair Competition and the Misappropriation Doctrine." *May 1978*
No. 57 – Gail Lund Barwis, "Contractual Newsroom Democracy." *August 1978*
No. 58 – C. Richard Hofstetter, "News Bias in the 1972 Campaign: A Cross-Media Comparison." *November 1978*
No. 59 – Eric J. Zanot, "The National Advertising Review Board, 1971-1976." *February 1979*
No. 60 – Frank Wm. White, "Cameras in the Courtroom: A U.S. Survey." *April 1979*
No. 61 – Philip Palmgreen, "Mass Media Use and Political Knowledge." *May 1979*
No. 62 – R. Gordon Shepherd, "Science News of Controversy: The Case of Marijuana." *August 1979*

No. 63 – John P. Robinson and Leo W. Jeffres, "The Changing Role of Newspapers in the Age of Television." *September 1979*
No. 64 – P. Jean Frazier and Cecillie Gaziano, "Robert Ezra Park's Theory of News, Public Opinion and Social Control." *November 1979*
No. 65 – David J. Russo, "The Origins of Local News in the U.S. Country Press, 1840s-1870s." *February 1980*
No. 66 – Michael Ryan, "Journalism Education at the Master's Level." *March 1980*
No. 67 – David H. Weaver and G. Cleveland Wilhoit, "News Media Coverage of U.S. Senators in Four Congresses, 1953-1974." *April 1980*
No. 68 – Harold A. Fisher, "The EBU: Model for Regional Cooperation in Broadcasting." *May 1980*
No. 69 – Eugene F. Shaw and Daniel Riffe, "NIS and Radio's All News-Predicament." *August 1980*
No. 70 – Jerome S. Silber, "Broadcast Regulation and the First Amendment." *November 1980*
No. 71 – Marlen Cuthbert, "The Carribean News Agency: Third World Model." *February 1981*
No. 72 – Terry Hynes, "Magazine Portrayal of Women, 1911-1930." *May 1981*
No. 73 – Wayne M. Towers, "World Series Coverage in New York City in the 1920s." *August 1981*
No. 74 – M. Gilbert Dunn and Douglas W. Cooper (with assistance of D. Brock Hornby and David W. Leslie), "A Guide to Mass Communication Sources." *November 1981*
No. 75 – Lawrence Bowen, "Advertising and the Poor." *February 1982*
No. 76 – Bruce M. Swain, "The Progressive, the Bomb and the Papers." *May 1982*
No. 77 – Daniel W. Pfaff, "Joseph Pulitizer II and Advertising Censorship, 1929-1939." *July 1982*
No. 78 – John Spicer Nichols, "Cuban Mass Media: Organization, Control and Functions." *November 1982*
No. 79 – Willard D. Rowland Jr., "The Illusion of Fulfillment: The Broadcast Reform Movement." *December 1982*
No. 80 – Robert J. Goldstein, "Freedom of the Press in Europe, 1815-1914." *February 1983*
No. 81 – James E. Guring, "Communication Behaviors and Attitudes of Environmental Publics: Two Studies." *March 1983*
No. 82 – Karen K. List, "The Role of Willam Cobbett in Philaddlphia's Party Press, 1794-1799." *May 1983*
No. 83 – Hugh M. Culbertson, "Three Perspectives on American Journalism." *June 1983*
No. 84 – Keith R. Stamm and Lisa Fortini-Campbell, "The Relationship of Community Ties to Newspaper Use." *August 1983*
No. 85 – Dean W. O'Brien, "The News as Environment." *September 1983*
No. 86 – Fred Fejes, "The U.S. in Third World Communications: Latin America, 1900-1945." *November 1983*
No. 87 – Warren K. Agee and Nelson Traquina, "A Frustrated Fourth Estate: Portugal's Post-Revolutionary Mass Media." *February 1974*
No. 88 – David Paul Nord, "The Evangelical Origins of Mass Media in America, 1815-1835." *May 1984*
No. 89 – Gerald J. Baldasty, "The Pres and Politics in the Age of Jackson." *August 1984*
No. 90 – C.N. Olien, G.A. Donohue and P.J. Tichenor, "Media and Stages of Social Conflict," *November 1984*
No. 91 – Mary Allienne Hamlton. "J.W. Gitts: The Cold War's Voice in the Wlderness." *February 1985*
No. 92 – Harry D. Marsh, "Hodding Carter's Newspaper on School Desegration, 1954-1955." *May 1985*
No. 93 – W. Wat Hopkins, "Negligence 10 Years After Gertz v. Welch." *August 1985*
No. 94 – George E. Stevens, "Discrimination in the Newsroom: Title VII and the Journalist." *September 1985*
No. 95 – Denise M. Trauth and John L. Huffman, "Obscenity and Cable Television: A Regulatory Approach." *March 1986*
No. 96 – Richard Burket Kielbowicz, "Origins of the Second-Class Mail Category and the Business of Policymaking, 1863-1879." *April 1986*

JOURNALISM MONOGRAPHS
1621 COLLEGE ST.
UNIVERSITY OF SOUTH CAROLINA
COLLEGE OF JOURNALISM
COLUMBIA, SC 29208-0251
ADDRESS CORRECTION REQUESTED

NON-PROFIT ORGANIZATION
U.S. POSTAGE
PAID
COLUMBIA, SC
PERMIT NO. 198